IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 827 (M/S) of 2004

Indian Oil Corporatin and another ……..... Petitioners

Versus

Civil Judge (Senior Division) / F.T.C.-I,
Dehradun and another …… Respondents.

……

Sri V.K. Kohli, learned counsel for the petitioner.
Standing Counsel for the State.

Hon.Rajesh Tandon , J.

1. By the present writ petition, the petitioner has prayed for the expeditious disposal of suit no. 98 of 1996.

2. Briefly stated the facts are that the suit was filed by the plaintiff restraining the defendants by way of permanent injunction not to interfere with the running of the petrol pump on the bye-pass Marg, Gumaniwala, Rishikesh. The plaintiff has also filed an application for interim injunction and the said interim injunction was granted in favour of the plaintiff during the pendency of the suit.

3. The suit was filed by the respondent no.2 against the petitioners, who were arrayed as defendant. The counsel for the petitioners has submitted that the suit is still pending and the plaintiff is taking advantage of the suit being pending as well as interim order, which is operating against the defendant. Since the suit is of 1996, the learned Civil Judge (Senior Division) is directed to decide the suit no. 98 of 1996 itself within a period of three months from the date of production of the certified copy of this order.

4. The petition is disposed of accordingly.

(Rajesh Tandon, J.)
2.9.2004

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* Correction be made in order dated 2.9.2004. Correction application is allowed.

(Rajesh Tandon, J.)